

DAVISON COUNTY PLANNING AND ZONING

Dan Sudrla
Zoning Administrator
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Phone 605 995-8615
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Planning Commission Minutes January 12, 2010

1. Call to order at 1:15 P.M. by Zoning Administrator Sudrla
2. Roll call Present- Bode, Greenway, Stadlman and zoning administrator Sudrla
Absent- Haines, Kiner and Weitala
Guests- None
Chuck Storm was introduced as a new member!
3. Zoning Administrator Sudrla called for nominations for 2010 Chairperson. Motion by Stadlman, seconded by Greenway to nominate Bode. Zoning Administrator repeats until request made three times and hearing no additional nominations. Stadlman changed to nominations cease and cast a unanimous ballot for Bode. All voting aye motion Carried
4. Zoning Administrator Sudrla turns the meeting over to the 2010 Chairperson Bode who request nominations for Vice-Chairperson. Bode nominates Haines, seconded by Greenway Bode request any further nominations and hearing none Motion by Greenway seconded by Stadlman to have nominations cease and cast a unanimous ballot for Haines. All voting aye. Motion carried.
5. Motion by Greenway, seconded by Storm to approve the Agenda. All voting aye. Motion carried.
6. Motion by Stadlman, seconded by Greenway to approve the Minutes from the December 1, 2009 meeting. All voting aye. Motion carried.
7. Motion by Greenway, seconded by Storm to approve a PLAT OF LOT OF NORTH HARMON FIRST ADDITION, A SUBDIVISION OF GOVERNMENT LOT 4 AND THE SW ¼ OF THE NW ¼, ALL IN SECTION 4, T 103 N, R 60 W OF THE 5TH P.M., DAVISON COUNTY, SOUTH DAKOTA.
Roll call vote: Aye-Bode, Storm and Greenway
Nay- Stadlman
Absent- Kiner, Weitala and Haines Plat Approved.
8. Motion by Greenway, seconded by Stadlman to table action until changes requested by City of Mitchell Planning Commission are made and approved. A SURVEY PLAT OF LOTS1A THRU 4A OF IRREGULAR TRACT 2 AND LOTS 1 THRU 4 AND 4B OF IRREGULAR TRACT 3 LYING AND BEING IN THE SOUTH HALF OF SECTION 32, TOWNSHIP 104 NORTH, RANGE 60 WEST OF THE 5TH P.M., DAVISON COUNTY, SOUTH DAKOTA.
Roll call vote: Aye-Bode, Storm, Stadlman and Greenway
Absent- Kiner, Weitala and Haines Plat action tabled.

9. Motion by Stadlman, seconded by Storm to APPROVE A PLAT OF LOT 2, BLOCK 2 OF B. AND J. DEVRIES FIRST ADDITION IN THE NE ¼ SECTION 31, T 104 N, R 60 W OF THE 5TH P.M., DAVISON COUNTY, SOUTH DAKOTA

Roll call vote: Aye-Bode, Storm, Stadlman and Greenway

Absent- Kiner, Weitala and Haines Plat approved.

10. Set time table for amendments to the Davison County Zoning Ordinance. Zoning Administrator Sudrla to prepare all items for the February 2, 2010 meeting and to set the Public hearing date for Planning Commission Public hearing at that time.
11. After a discussion it was decided to add **Section 1215**, which would require naming all additions and sub-divisions with a unique name in Davison County. Zoning Administrator Sudrla to prepare language and mail it out.
12. Adjournment at 2:30 by Chairperson Bode.

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Zoning Administrator

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Planning Commission Minutes March 2, 2010

1. Call to order by Chairperson Bode at 1:15 P.M.
2. Roll Call: Present-Bode, Weitala, Stadlman, Greenway, Haines and Zoning Administrator Sudrla
Absent- Storm and Kiner
Guest- None
3. Motion by Weitala, seconded by Stadlman to approve the agenda. All voting aye. Motion carried.
4. Motion by Haines, seconded by Stadlman to approve the minutes from the February 2, 2010 meeting with noting the wording for section 1217 not finalized for the public hearing. All voting aye. Motion carried.
5. Motion by Haines, seconded by Weitala to APPROVE A PLAT OF C-4, A SUBDIVISION OF LOT C-3 OF DREDGE SITE SUBDIVISION IN THE SW ¼ OF SECTION 5, T 103 N, R 60 W OF THE 5TH P.M., DAVISON COUNTY, SOUTH DAKOTA.
Roll call vote: Aye- Haines, Greenway, Stadlman, Weitala and Bode
Nay- None
Absent- Kiner and Storm Plat approved.
6. Motion by Haines, seconded by Greenway to APPROVE A PLAT OF LOT 1 OF R.E. YOUNG FIRST ADDITION IN THE WEST ½ OF SECTION 5, T 103 N, R 60 W OF THE 5TH P.M., DAVISON COUNTY, SOUTH DAKOTA.
Roll call vote: Aye- Haines, Greenway, Stadlman, Weitala and Bode
Nay- None
Absent- Kiner and Storm Plat approved.
7. Motion by Greenway, seconded by Weitala to APPROVE A PLAT OF LOT 2 I.M. SMITH'S FIRST ADDITION IN THE E ½ OF THE SE1/4 OF SECTION 28, TOWNSHIP 103 NORTH, RANGE 61 WEST OF THE 5TH PRINCIPAL MERIDIAN, DAVISON COUNTY, SOUTH DAKOTA.
Roll call vote: Aye- Haines, Greenway, Stadlman, Weitala and Bode
Nay- None
Absent- Kiner and Storm Plat approved.
8. Discussion and review of possible amendments to the Davison County Zoning Ordinance. The items were discussed using a preliminary public notice and revising the wording as presented by Zoning Administrator. Item 4. Changing to Conditional use in all districts and adding individual between fifteen (15) **individual** stalls. Changing the wording on Section 1217 listed in the Public notice by a 3-2 vote.

To the Public of Davison County

PUBLIC NOTICE

Date: March 16, 2010

Time 7:00 P.M.

Location second floor courtroom
200 E. 4th Ave., Mitchell, SD, 57301

The Davison County Planning Commission will be holding a public hearing to receive comment from the public on possible amendments to the Davison County Zoning Ordinance as indicated

1. **To add self-storage units as a conditional use in all districts with the current definition.**

Existing definition- Self-Storage Warehouse - A building containing separate, individual Self-storage units divided from the floor to the ceiling by a wall with an independent entrance from the exterior of the building, designed to be rented or leased on a short-term basis to the general public for private storage of personal goods, materials and equipment.

2. **Add salvage yard-recycling centers as Conditional use in all districts**

Salvage Yard - The use of more than seven thousand five hundred (7,500) square feet of open storage on any lot, portion of lot, or tract of land for the sale, storage, keeping, or for the abandonment, dismantling, or wrecking of automobiles or other vehicles, machines, or parts thereof.

Recycling Center - A building **and/or area** which used material is separated and processed prior to shipment to others who will use those materials to manufacture new products.

3. **Add Archery to Shooting Range** – An area or structure specially designed for the safe discharge and use of firearms **and/or archery**.

4. **Add riding stable Conditional use in all districts. Existing definition- Riding Stable** - Any place that has more than fifteen (15) individual stalls or horse spaces to board, train, or provide recreational equine activities

5. **Add Section 1215**

Section 1215 Naming of additions and subdivisions. Every addition or subdivision within Davison County and subject to this Zoning Ordinance shall be uniquely named. Such name shall not duplicate, be the same in spelling, or alike in pronunciation, with or to any existing addition or subdivision in Davison County. Such addition and subdivision names are subject to the approval of the Davison County Register of Deeds whose decision shall be final. Plats which do not comply with this section and the general provisions of SDCL 11-3-7 shall not be entitled to recording.

6. **Add SECTION 1217** Right-of Way Safety Hazards.

To promote traffic safety along road right - of - ways, no obstructions may cause view obstruction, snow build up or safety hazards, 75 feet of the road right of way line.

7. Consensus of the board to Eliminate 1219 from our proposed amendments.

8. **Changes in bold** Article 17

3) The Zoning Administrator or their designee **in the event of a re-zone** shall notify by mail all owners of abutting property for which action is sought;

notice shall be given to each owner of record by depositing such notice in the United States Post Office not less than ten (10) days prior to the hearing date.

- 4) The Planning Commission shall hold the Public Hearing, review the proposed amendment(s), and make recommendations to the County Commission.
 - 5) At least ten (10) days before the date of the County Commission hearing, the County shall have published in a legal newspaper a notice of the time, place, and subject matter of such hearing.
 - 6) The Zoning Administrator or their designee **in the event of a re-zone** shall notify by mail all owners of abutting property for which action is sought
- Roll call vote: Aye- Haines, Greenway, Stadlman, Weitala and Bode
Nay- None
Absent- Kiner and Storm Plat approved.

8. **Section 613** **Minimum Setback for Structures**

2. All yards must meet the following criteria, which shall apply to all buildings and structures, including decks, patios, and car ports;
 - a. A front yard of not less than a depth of seventy-five (75) feet,
 - b. A rear yard of not less than a depth of **ten (10)** feet, and
 - c. Each side yard shall not be less than a width of **ten (10)** feet

All interested parties may be present and be heard on said request, either in person or by agent. Written comments will be taken until 4:00 P.M. on March 16, 2010, in the Davison County Auditor's office.

9. Motion by Weitala, seconded by Haines to present the above amendments at the public hearing. All voting aye. Motion carried. **(Zoning Administrator Sudrla added the change in side and back yard to the notice. It was discussed at an earlier meeting with consensus board agreeable to the change)**
10. Adjournment at 3:00P.M. by Chairperson Bode.

Dan Sudrla CAA
Zoning Administrator

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Planning Commission Minutes March 16, 2010

1. Call to order by Chairperson Bode at 7:10 P.M. due to Zoning Administrator Sudrla having to disable the alarm system.
2. Roll Call: Present- Bode Weitala, Storm, Greenway, Kiner, Haines and Zoning Administrator Sudrla
Absent- Stadlman
Guests- Lyle Bode, Butch Morrison, Gordon Williamson and Shank
3. Chairperson Bode explained how each of the items on our possible amendments would be discussed and action taken. She also told the guest that the meeting would be recorded. Motion by Weitala, seconded by Haines to open the public hearing 7:12 P.M. All voting aye. Public hearing was opened.

Zoning Administrator Sudrla presented item one and a Questions was raised Williamson as to who requested the changes that are being considered and thought it should be part of the information provided. Chairperson Bode explained that a number of items are brought up by public and Planning Commissioners and Zoning Administrator Sudrla and compiled and addressed at one time.

1. **To add self-storage units as a conditional use in all districts with the current definition.**

Existing definition- Self-Storage Warehouse - A building containing separate, individual Self-storage units divided from the floor to the ceiling by a wall with an independent entrance from the exterior of the building, designed to be rented or leased on a short-term basis to the general public for private storage of personal goods, materials and equipment.
After discussion and request for public input a roll call vote was taken to recommend Davison County Commission to change the Davison County Zoning Ordinance and Adopt #1 as presented. Roll call vote was taken. All present voting aye.

Zoning Administrator Sudrla presented item# 2 indicating that the definitions are existing with the change in Recycling Center adding **and/or area** to provided an open lot could be a recycling center. Gordon Williamson expressed that the Davison County was not enforcing its Zoning ordinance by allowing the storage or salvage of railroad cars on the tracks and expressed all the negative impact that line of cars was causing. Zoning Administrator Sudrla explained the all of the correspondence was referred to Deputy States Attorney Taylor and responses to Mr. Williamson was done by that office. Mr. Williamson was not satisfied with that response.

2. **Add salvage yard-recycling centers as Conditional use in all districts**

Salvage Yard - The use of more than seven thousand five hundred (7,500) square feet of open storage on any lot, portion of lot, or tract of land for the sale, storage, keeping, or for the abandonment, dismantling, or wrecking of automobiles or other vehicles, machines, or parts thereof.

Recycling Center - A building **and/or area** which used material is separated and processed prior to shipment to others who will use those materials to manufacture new products.

After discussion and request for public input a roll call vote was taken to recommend

Davison County Commission to change the Davison County Zoning Ordinance and Adopt #2 as presented. Roll call vote was taken. All present voting aye.

Zoning Administrator Sudrla presented #3, which would add **and/or archery** to the definition of shooting range

3. **Add Archery to Shooting Range** – An area or structure specially designed for the safe discharge and use of firearms **and/or archery**.

After discussion and request for public input a roll call vote was taken to recommend Davison County Commission to change the Davison County Zoning Ordinance and Adopt #3 as presented. Roll call vote was taken. All present voting aye.

Zoning Administrator Sudrla presented item#4 which would add Riding stable as a conditional use in all districts

4. **Add riding stable Conditional use in all districts. Existing definition- Riding Stable** - Any place that has more than fifteen (15) individual stalls or horse spaces to board, train, or provide recreational equine activities

After discussion and request for public input a roll call vote was taken to recommend Davison County Commission to change the Davison County Zoning Ordinance and Adopt #4 as presented. Roll call vote was taken. All present voting aye

Zoning Administrator Sudrla presented item#4 which would a section 1215 to the Ordinance requiring naming all new subdivisions with a unique name.

5. **Add Section 1215**

Section 1215 Naming of additions and subdivisions. Every addition or subdivision within Davison County and subject to this Zoning Ordinance shall be uniquely named. Such name shall not duplicate, be the same in spelling, or alike in pronunciation, with or to any existing addition or subdivision in Davison County. Such addition and subdivision names are subject to the approval of the Davison County Register of Deeds whose decision shall be final. Plats which do not comply with this section and the general provisions of SDCL 11-3-7 shall not be entitled to recording.

After discussion and request for public input a roll call vote was taken to recommend Davison County Commission to change the Davison County Zoning Ordinance and Adopt #5 as presented. Roll call vote was taken. All present voting aye

Zoning Administrator presented section 1217 and indicated he had received comment on it from several people. All though the Township person know that it would help in snow removal costs had a number people of speak against adopting.

6. **Add SECTION 1217 Right-of Way Safety Hazards.**

To promote traffic safety along road right - of - ways, no obstructions may cause view obstruction, snow build up or safety hazards, 75 feet of the road right of way line.

After discussion and request for public input. Orville Stevenson and Lyle Bode spoke against adding section 1217 to the ordinance. Greenway spoke against the section and Butch Morrison agreed with his comments. Chairperson Bode indicated the Comments she had received were either neutral or in favor of the Amendment

Roll call vote was taken to recommend to Commission adopt Section 1217.

Aye- Bode and Haines Nay- Weitala, Storm, Greenway and Kiner

By a vote of 4 against and 2 in favor of recommending the Davison County Commission to change the Davison County Zoning Ordinance and add section 1217

Section 1217 will not be recommended as a change in the Ordinance.

Zoning present presented the changes in Article 17 to define when letters are sent out to abutting property owners affected by a zoning ordinance. Change requested in Bold

7. **Changes in bold** Article 17

- 3) The Zoning Administrator or their designee **in the event of a re-zone** shall notify by mail all owners of abutting property for which action is sought; notice shall be given to each owner of record by depositing such notice in the United States Post Office not less than ten (10) days prior to the hearing date.
- 4) The Planning Commission shall hold the Public Hearing, review the proposed amendment(s), and make recommendations to the County Commission.
- 5) At least ten (10) days before the date of the County Commission hearing, the County shall have published in a legal newspaper a notice of the time, place, and subject matter of such hearing.
- 6) The Zoning Administrator or their designee **in the event of a re-zone** shall notify by mail all owners of abutting property for which action is sought
After discussion and request for public input a roll call vote was taken to recommend Davison County Commission to change the Davison County Zoning Ordinance and Adopt #7 as presented. Roll call vote was taken. All present voting aye

Zoning Administrator Sudrla presented changing the side yard and rear yard set back from 25' to 10' as requested by several property owners.

8. **Section 613** Minimum Setback for Structures

2. All yards must meet the following criteria, which shall apply to all buildings and structures, including decks, patios, and car ports;
 - a. A front yard of not less than a depth of seventy-five (75) feet,
 - b. A rear yard of not less than a depth of **ten (10)** feet, and
 - c. Each side yard shall not be less than a width of **ten (10)** feet

After discussion and request for public input a roll call vote was taken to recommend Davison County Commission to change the Davison County Zoning Ordinance and Adopt #8 as presented. Roll call vote was taken. All present voting aye

Motion to Close the public hearing and recommend the County Commission adopt the Items 1-6 and 8 as part of the Davison County Zoning Ordinance
Roll call vote was taken. All present voting aye

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DAVISON COUNTY PLANNING AND ZONING

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Planning Commission Minutes May 4, 2010

1. Called to order at 7:30 P.M. by Chairperson Bode
2. Roll call: Present-Bode, Haines, Weitala, Stadlman, Greenway, Kiner and Zoning Administrator Sudrla
Absent- Storm
Guests- Richard & Bonnie McBrayer, Paula Schmidt, Emile Laurendeau
3. Motion by Greenway, seconded by Haines to approve the agenda with the addition of a Plat of Lot 1 of B & R Acres and a discussion on a publication Summary. All voting aye. Motion carried.
4. Motion by Haines, seconded by Kiner to approve the minutes from the April 6, 2010 meeting. All voting Aye. Motion Carried.
5. Motion by Haines, seconded by Weitala to approve A PLAT OF LOT 1 OF SCHMIDT ACRES IN THE NE ¼ OF SECTION 13, T 101 N, R 60 W OF THE 5TH P.M., DAVISON COUNTY, SOUTH DAKOTA.
Roll call vote. Aye- Bode, Haines, Weitala, Stadlman, Greenway, Kiner
Nay- none Absent-Storm Plat approved.
6. Motion by Greenway, seconded by Haines to approve a PLAT OF B & R ACRES, IN THE NE ¼ OF SECTION 13, T101N, R60W, OF THE 5TH P.M., DAVISON COUNTY, SOUTH DAKOTA.
Roll call vote. Aye- Bode, Haines, Weitala, Stadlman, Greenway, Kiner
Nay- none Absent-Storm Plat approved.
7. Discussion was held with Emile Laurendeau on a possible conditional use and variance to construct an addition to a pole shed that is a Section 1809 Nonconforming Uses of Structures or of Structures and Premises in Combination in Beulah Township. The proposed building will provide additional storage for his recycling business. Setbacks were discussed and he indicated he will be getting a survey completed to determine the property lines. Concerns raised by the board about previous complaints on possible nuisance. No formal action taken. The current amendments to the Zoning Ordinance will include conditional use fro this type of business.
8. Motion by Haines, seconded by Weitala to authorize Zoning administrator Sudrla to prepare a summary of the amendments to the Zoning Ordinance for publication. This includes the States Attorney office approval. All voting aye. Motion approved.
9. Adjournment at 8:30 P.M. by Chairperson Bode.

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Planning Commission Minutes June 1, 2010

1. Called to order at 7:30 P.M. by Chairperson Bode.
2. Roll call: Present-Bode, Weitala, Storm, Stadlman, Greenway, Kiner, Haines and Zoning Administrator Sudrla
Guests-Dean Robideau, Joseph & Helen Puetz, Doug Degen, Dean VanderHamm, Bryon Henningsen, Andrew Prickett, Gary Trabing, James Zwingor
3. A motion by Haines, Seconded by Weitala approve the agenda with addition of the Plat of Bauer Tract 1. All voting aye. Agenda approved.
4. Motion by Haines, seconded by Greenway to approve the minutes from the May 4, 2010 meeting. All voting aye. Minutes from the May 4, 2010 meeting approved.
5. That Joe Puetz made application on April 30, 2010 for a variance of 25'(ft) to the east property line to construct a pole shed. The applicant was notified, notice was in the Daily Republic and the property was posted on May 21, 2010. This request is pursuant to Section 515 of the Davison County Zoning Ordinance as adopted on 4/1/98 and as subsequently amended. The property is legally described as the S 330' X E 330' of the SW ¼ of Section 34, T 102 N, R 60 W, Prosper Township, Davison County, South Dakota. After consideration of 1403 B. Variances a motion by Stadlman, seconded by Kiner to recommend granting as requested.
Roll call vote: Aye- Haines, Kiner, Greenway, Stadlman, Storm, Weitala, Bode
Nay- None The variance is recommended to be granted.
6. That Chris Nebelsick made application on May 11, 2010 for a variance in lot size to a 10 acre lot to create a new parcel to construct a residence. The applicant was notified, notice was in the Daily Republic and the property was posted on May 21, 2010. This request is pursuant to Section 513.3 of the Davison County Zoning Ordinance as adopted on 4/1/98 and as subsequently amended. The property is legally described as the S ½ of NW ¼ of Section 16, T 102 N, R 60 W, Prosper Township, Davison County, South Dakota. After consideration of 1403 B. Variances a motion by Haines, seconded by Weitala to recommend granting as requested with the condition of Ag- Covenant.
Roll call vote: Aye- Haines, Kiner, Greenway, Stadlman, Storm, Weitala, Bode
Nay- None The variance is recommended to be granted.
7. That Dean Robideau made application on May 12, 2010 a variance of 50'(ft) to the west ROW line to move a garage on to the property. The applicant was notified, notice was in the Daily Republic and the property was posted on May 21, 2010. This request is pursuant to Section 613 of the Davison County Zoning Ordinance as adopted on 4/1/98 and as subsequently amended. The property is legally described as the SWNW ¼ and SENW ¼ Ex S 2 Rods of Section 13, T 103 N, R 60 W, Mitchell Township, Davison County, South Dakota. . After consideration of 1403 B.

Variances a motion by Greenway, seconded by Kiner to recommend granting as requested with the condition of Ag- Covenant.

Roll call vote: Aye- Haines, Kiner, Greenway, Stadlman, Storm, Weitala, Bode
Nay- None The variance is recommended to be granted.

8 James Valley Cycle Club to discuss action that will be taken in response to complaint of rules violations at the track. This is a conditional use that was granted in May 25, 2004, with the conditions being modified on several occasions. Legally described as Lot A ex S660' of the SW ¼, section 35, T 101 N, R 60 W. The James Valley Cycle Club was present with Doug Degen as President and spokesperson. Doug went through the action taken in response to the initial complaint filed by the Coles. All parts of the to E-mails sent to Zoning Administrator Sudrla were addressed by the Club to the Satisfaction of the Zoning Board.

9 Motion by Haines, seconded by Weitala to Approve a PLAT OF TRACT 1 OF BAUER ADDITION, IN THE N.E. ¼ OF SECTION 22, T103N, R60W, OF THE 5TH P.M., DAVISON COUNTY, SOUTH DAKOTA

Roll call vote: Aye- Haines, Kiner, Greenway, Stadlman, Storm, Weitala, Bode
Nay- None The PLAT IS APPROVED.

10 Adjournment at 9:32 P.M. by Chairperson Bode.

Dan Sudrla CAA
(Zoning Administrator)

DAVISON COUNTY PLANNING AND ZONING

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Planning Commission Minutes July 6, 2010

1. Call to order at 7:30 P.M. by Chairperson Bode.
2. Roll call: Present-Bode, Weitala, Stadlman, Greenway, Kiner and Zoning Administrator Sudrla
Absent- Storm and Haines
Guests- Julie Bode, Elaine Boeker, Cindy Plamp, Curt Plamp, Chad Plamp, Tami Plamp and Steve Otterby
3. Motion by Weitala, seconded by Greenway to approve the agenda. All voting aye. Agenda approved.
4. Motion by Stadlman, seconded by Weitala approve the minutes from the June 1, 2010 meeting. All voting aye. Minutes approved.
5. That Kelley Family Inc made application on June 6, 2010, for an individual septic system more than 350' (ft) but less than 660' (ft) from Firesteel Creek. The property posted on June 28, 2010 and the applicant was notified and notice was in the Daily Republic on June 25, 2010. After consideration of section 1403 A. Conditional Use motion by Kiner to recommend approval. After Chairperson Bode requested a second 3 times motion died for lack of a second. After considerable discussion on the location to Firesteel Creek and a desire to protect it from the drain field and a desire to make it more expandable for future growth a motion by Stadlman, seconded Kiner to recommend granting with the condition of having a lift station. This request is pursuant to Section 1211 of the Davison County Zoning Ordinance as adopted on 4/1/98 and as subsequently amended. The property is legally described as the N ½ of SE ¼ EX IT 1 & SE ¼ of SE ¼ EX W 208.75' of the S 208' of Section 36, T 104 N, R 61 W, Badger Township, Davison County, South Dakota.
Roll call Vote: Aye- Kiner, Stadlman, Weitala, and Bode
Nay- Greenway
Absent- Storm and Haines
The individual septic system is recommended for approval with the condition of the drain field over 350'(ft) from Firesteel and using a lift station.
6. That Elaine Boeker made application on June 22, 2010 for a variance in lot size.. The applicant was notified and notification was in the Daily Republic on June 25, 2010. The property was posted on June 28, 2010. This would be approximately 12.54 acres with a residence included. This request is pursuant to Section 513.1 of the Davison County Zoning Ordinance as adopted on 4/1/98 and as subsequently amended. The property is legally described as the SW ¼ of Section 30, T 101 N, R 62 W, Baker Township, Davison County, South Dakota.
After consideration of Section 1403B. Variances motion by Greenway, seconded by Weitala to recommend granting as requested with an Ag-Covenant.

Roll call Vote: Aye- Kiner, Stadlman, Greenway Weitala, and Bode

Nay- None

Absent- Storm and Haines

The variance is recommended to be granted with a Ag-Covenant.

7. Motion by Weitala, seconded by Stadlman to approve A PLAT OF LOTS C-1, C-2 AND C-3 OF KOTRBA'S SUBDIVISION IN THE SE ¼ OF SECTION 15, T 103 N, R 61 W OF THE 5TH P.M., DAVISON COUNTY, SOUTH DAKOTA.
All voting aye. Plat is approved.
8. Misc.- None
9. Meeting Adjourned at 8:30 P.M. by Chairperson Bode.

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Zoning Administrator

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Planning Commission Minutes August 3, 2010

1. Called to order at 7:30 P.M. by Chairperson Bode
2. Roll call: Present- Bode, Haines, Greenway, Stadlman, Kiner and Zoning Administrator Sudrla
Absent- Storm and Weitala
Guests-Donna Deinert, Steve Otterby and Chuck Mauszycki
3. Motion by Greenway. seconded by Haines to approve the agenda. All voting aye. Agenda approved.
4. Motion by Stadlman, seconded by Kiner to approve the minutes from the July 6, 2010 meeting. All voting aye. Minutes approved.
5. That Kelley Family Inc made application June 6, 2010 for an individual septic system more than 350'(ft) but less than 660'(ft) from Firesteel Creek. This request is pursuant to Section 1211 of the Davison County Zoning Ordinance as adopted on 4/1/98 and as subsequently amended. The abutting property owners notified, the applicant, the property was posted and the notice was in the Daily Republic on July 23, 2010. The property is legally described as the N ½ of SE ¼ EX IT 1 & SE ¼ of SE ¼ EX W 208.75' of the S 208' of Section 36, T 104 N, R 61 W, Badger Township, Davison County, South Dakota. After consideration of Section 1403 A. Conditional Uses a motion by Kiner seconded by Haines to recommend granting as applied for.
Roll call vote. Voting: Aye- Bode, Haines, Kiner and Greenway
Nay- Stadlman Motion carried.
Absent- Weitala and Storm
6. That Donna Deinert made application on July 12, 2010 a variance of up to 44'(ft) to the west property line to replace a pole building that burned. This request is pursuant to Section 515 of the Davison County Zoning Ordinance as adopted on 4/1/98 and as subsequently amended. The property was posted, notice in the Daily Republic and notice sent to the applicant on July 23, 2010. The required 50'(ft) will not be met. The property is legally described as IT 15 in SW ¼ of Section 15, T 103 N, R 62 W, Mt Vernon Township, Davison County, South Dakota. After consideration Section 1403 B. Variances a motion by Greenway, seconded by Haines to recommend granting as requested.
Roll call vote. Voting: Aye- Bode, Haines, Kiner, Greenway and Stadlman
Absent- Storm and Weitala
Nay- None Motion carried.
7. Motion by Stadlman, seconded by Kiner approve A PLAT OF H AND LOT I, IN BLOCK 4, CJM SECOND ADDITION, IN THE N.W. ¼ OF SECTION 32, T104N, R60W, OF THE 5TH. P.M., DAVISON COUNTY, SOUTH DAKOTA
Roll call vote. Voting: Aye- Bode, Haines, Kiner, Greenway and Stadlman
Absent- Storm and Weitala
Nay- None plat approved.

8. Motion by Greenway, seconded by Haines approve to APPROVE A PLAT OF LOT 6 OF NORTH MAUI'S FIRST ADDITION, A SUBDIVISION OF LOT 4 IN THE N.W. ¼ SECTION 31, T104N R60W, OF THE 5TH. P.M., DAVISON COUNTY, SOUTH DAKOTA

Roll call vote. Voting: Aye- Bode, Haines, Kiner, Greenway and Stadlman

Absent- Storm and Weitala

Nay- None plat approved.

9. Misc. None

10. Adjournment at 8:06 P.M. by Chairperson Bode

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Planning Commission Minutes September 7, 2010

1. Called to order at 7:30 P.M by Chairperson Bode.
2. Roll Call: Present-Bode, Haines, Weitala, Stadlman, Greenway, Kiner,
Zoning Administrator Sudrla
Absent- Storm
Guest- Emile Laurendeau, Catina Kost, Nancy Laurndeau, Paul
Hetland, Doug Holum, MaryAnn Hetland
2. Motion by Greenway, seconded by Stadlman to approve the Agenda. All voting aye.
Agenda approved as presented.
3. Motion by Haines, seconded by Stadlman approve the minutes from the August 3,
2010 meeting. All voting aye. Minutes approved as presented.
4. Motion by Stadlman, seconded by Greenway to approve A PLAT OF LOTS B
AND C OF DEINERT'S FIRST ADDITION IN THE NW ¼ OF SECTION 25, T
103 N, R 62 W OF THE 5TH P.M., DAVISON COUNTY, SOUTH DAKOTA
Roll call vote: Aye- Bode, Haines, Weitala, Stadlman, Greenway and Kiner
Absent- Storm Nay- None Plat approved.
5. Motion by Haines, seconded by Kiner to approve A PLAT OF LOT 2 CIRCLE K
RANCH THIRD ADDITION, A SUBDIVISION OF GOVERNMENT LOTS 3, 4
AND 5, AND THE SE ¼ OF THE NW ¼, ALL IN SECTION 6, T 103 N, R 60 W
OF THE 5TH P.M., DAVISON COUNTY, SOUTH DAKOTA
Roll call vote: Aye- Bode, Haines, Weitala, Stadlman, Greenway and Kiner
Absent- Storm Nay- None Plat approved.
6. That Hetland Farms/Mary Ann Hetland made application on August 3, 2010 for a
5'(ft) variance in set back to the west ROW to build an addition on to an existing
pole shed. This request is pursuant to Section 515 of the Davison County Zoning
Ordinance as adopted on 4/1/98 and as subsequently amended. The required 75'(ft)
will not be met. The property was posted on August 26, 2010. Notice of the
hearing was in the Daily Republic and sent to the applicant on August 27, 2010. The
property is legally described as the Lot 4 & S ½ of NW ¼ Ex Tract 1 of Hetlands
Subdivision of Section 2, T 104 N, R 62 W, Blendon Township, Davison County,
South Dakota.
After consideration of Section 1403 C. Variance motion by Greenway, seconded by
Haines to recommend granting as applied for.
Roll call vote: Aye- Bode, Haines, Weitala, Stadlman, Greenway and Kiner
Absent- Storm Nay- None Variance is recommended to grant as
applied for.

7. That Emile Laurendeau made application on July 30, 2010 a conditional use permit for a salvage yard- recycling center to be able to construct an addition to his pole shed. This request is pursuant to Section 603.33 of the Davison County Zoning Ordinance as adopted on 4/1/98 and as subsequently amended. The current use is nonconforming use of structures and premises in combination (Section 1809) and requires a conditional use to expand. The property was posted on August 26, 2010. notice of the hearing was in the Daily Republic and sent to the applicant and all abutting property owners on August 27, 2010. The property is legally described as Lot Q Ex E 131'(ft) of Lots in the SW ¼ of Section 24, T 103 N, R 61 W, Beulah Township, Davison County, South Dakota. There was testimony provided by Doug Holum owner of property to the west and northwest concerning a survey being completed and providing a way of cleaning up the property or privacy fence to shield the area from view. Emile indicated he was to hire the construction of the pole he and was still waiting for SPN to survey the property.
After consideration of Section 1403 B. Conditional use a motion by Greenway to recommend granting as a re-cycle center with the conditions of a 8'(ft) privacy fence along the west and partial on the south property line and limited exterior storage of materials, seconded by Stadlman
Roll call vote: Aye- Bode, Haines, Weitala, Stadlman, Greenway and Kiner
Absent- Storm Nay- None Conditional Use is recommended as a
recycle center with conditions.
8. Discussed the SDPA workshop and some interest in attending.
9. Adjournment at 8:35 P.M. by Chairperson Bode.

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Planning Commission Minutes October 5, 2010

1. Called to order by Chairperson Bode at 7:30 P.M.
2. Roll Call: Present- Bode, Weitala, Storm, Stadlman, Greenway, Kiner, Haines and Zoning Administrator Sudrla
Guests- Butch Morrison, Mark Puetz, Orville Stevenson, Don Petersen, Loren Noess, Scott Krojer, Jerry Constant, Fred F. Kobold JR, Joel Nesheim, Brian Butz, Brad & Lanett Buche, Ryan Storm
3. Motion by Weitala, seconded by Stadlman to approve the agenda with the addition of two discussion items under Misc., (SDPA workshop and November meeting date) All present voting aye. Agenda approved.
4. Motion by Haines, seconded by Greenway to approve the minutes from the September 7, 2010 meeting. All voting aye. Minutes approved
5. Motion by Stadlman, seconded by Haines to approve a PLAT OF LOT 1 OF C. HERRMANN FIRST ADDITION IN THE NW ¼ OF SETION 12, T 101 N, R 62 W OF THE 5TH P.M., DAVISON COUNTY, SOUTH DAKOTA.
Roll call vote: AYE- Bode, Weitala, Storm, Stadlman, Greenway, Kiner and Haines
Nay- None Plat approved.
6. That Ryan Storm made application a variance of up to 10' to construct an addition to an existing residence on September 10, 2010. The property was posted, the applicant notified and notice was in the Daily Republic on September 24, 2010. This request is pursuant to Section 515 of the Davison County Zoning Ordinance as adopted on 4/1/98 and as subsequently amended. The property is legally described as the S1/2 of Section 24, T 101 N, R 62W, Baker Township, Davison County, South Dakota. After consideration of Section 1403 B. Variance Motion by Haines, seconded by Greenway to approve as requested.
Roll call vote: AYE- Bode, Weitala, Stadlman, Greenway, Kiner and Haines
Abstain- Storm
Nay- None Variance recommended to be granted.
7. That Central Electric Cooperative INC made application on September 3, 2010 for a Conditional Use Permit to be able construct their Headquarters, including office and warehouse. The property was posted, notice in the Daily Republic, abutting property owners notified and applicant notified on September 24, 2010. A letter of service was sent to all current owners of the proposed site on September 23, 2010. Don Petersen gave a explanation why this request could considered pursuant to Section 509 of the Davison County Zoning Ordinance as adopted on 4/1/98 and as subsequently amended. The property is legally described as the E1/2 of SE1/4 ex H-1; ex Lot A & Ex N220' of E285' & ex Lot 1 of I.M. Smith's 1st Addn in SE ¼ of Section 28, T 103 N, R 61W, Beulah Township, Davison County, South Dakota.

Loren Noess presented the current proposed plans for construction with the size of building, 16,000 sq.ft. of office space, 25,000 sq.ft. of warehouse and approximate location on the 33 acre tract. Ingress and egress was discussed by Loren at this time and off street parking as planned. The operation of facility will be Monday thru Friday. Approximately 30 employees arriving daily and beginning there day from this location. There is a plan to screen the property or landscaping along with a security fence and all security lights would be pointed in toward the site. All the utilities needs addresses by Mr. Noess, with the exception of sanitary system. Mr. Peterson explained in the opinion of the applicants that the project was suited to the neighborhood with commercial zoned property to the east and the site was commercial prior to a rezone in the last year. Jerry Constant had a question sanitary system with lagoons or septic system. Concerns of the drainage raised by public and sanitary systems were addressed by Mark Puetz of Puetz Construction will covered in the final engineering pans. Concerns were raised about water usage by Mr. Constant being on the end of the line of the pipe going North. The Central Electric would be tapping in to the 5" line to the South. Access issue of trucks entering and leaving with the length and getting up to speed with other traffic to the camp ground. Option was presented by Mr. kobold for having the trucks enter and exit from the Township road to the South. Mr. Kobold also indicated that he thought that Central electric would be a good neighbor. After consideration of all items in Section 1403 A. Conditional Uses motion by Greenway, seconded by Kiner to recommend granting as applied for.

Roll call vote: AYE- Bode, Weitala, Storm, Stadlman, Greenway, Kiner and Haines

Nay- None Conditional Use recommended to be approved.

8. That Brad Buche made application on September 20, 2010 for a Variance for lot size to separate the residence from agricultural land. This request is pursuant to Section 513.3 of the Davison County Zoning Ordinance as adopted on 4/1/98 and as subsequently amended. The property was posted, the applicant notified and notice was in the Daily Republic on September 24, 2010. The property is legally described as the Behrens Tract 1 ex the W1032.30' in SE1/4 of Section 9, T 102 N, R 60W, Prosper Township, Davison County, South Dakota After consideration of Section 1403 B. Variance Motion by Stadlman, seconded by Haines to approve a lot of 3 acres or larger.

Roll call vote: AYE- Bode, Weitala, Stadlman, Greenway, Storm, Kiner and Haines

Nay- None Variance recommended to be granted.

9. That Joel & Rose Nesheim made application on September 21, 2010 for a variance of 30' to the West R-O-W to construct an attached garage. This request is pursuant to Section 515 of the Davison County Zoning Ordinance as adopted on 4/1/98 and as subsequently amended. The property is legally described as the NW1/4 of NW1/4 of Section 34, T 102 N, R 60 W, Prosper Township, Davison County, South Dakota. After consideration of Section 1403 B. Variance a Motion by Storm, seconded by Greenway to approve a variance up to 30' (ft) to the west R-O-W property line.

Roll call vote: AYE- Bode, Weitala, Stadlman, Greenway, Storm, Kiner and Haines

Nay- None Variance recommended to be granted.

10. Misc. One member expressed a desire to attend the SDPA workshop in Pierre. The November meeting will be held at night (7:30 P.M.) on November 9, 2010 if any items on the agenda. If no items for the agenda the meeting will be cancelled.
11. Adjournment at 8:55 P.M. by Chairperson Bode.

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Planning Commission Minutes November 9, 2010

1. Call to order at 7:30 P.M. by Chairperson
2. Roll call: Present: Bode, Weitala, Stadlman, Greenway, Haines, Kiner and Zoning Administrator Sudrla
Absent- Storm
Guests- Brad Buche
3. Motion by Greenway, seconded by Weitala to approve the agenda. All voting aye. Agenda approved.
4. Motion by Stadlman, seconded by Haines to approve the minutes of the October 5, 2010 meeting. All present voting aye. Minutes approved.
5. Motion by Haines, seconded by Weitala to approve A PLAT OF BEHRENS TRACT 1-A, A SUBDIVISION OF PREVIOUSLY PLATTED BEHRENS TRACT 1 IN THE SE ¼ OF SECTION 9, T 102 N, R 60 W OF THE 5TH P.M., DAVISON COUNTY, SOUTH DAKOTA
Roll call vote: Aye- Bode, Haines, Greenway, Weitala, Stadlman, Kiner
Absent- Storm
Nay- None Plat approved.
6. Motion by Stadlman, seconded by Weitala to approve A PLAT OF LOTS C-5 AND C-6 OF DREDGE SITE SUBDIVISION IN THE SW ¼ OF SECTION 5, T 103 N, R 60 W OF THE 5TH P.M., DAVISON COUNTY
Roll call vote: Aye- Bode, Haines, Greenway, Weitala, Stadlman, Kiner
Absent- Storm
Nay- None Plat approved.
7. Motion by Haines, seconded by Greenway to approve A PLAT OF LOT C-7 OF DREDGE SITE SUBDIVISION IN THE SOUTH ½ OF THE NW ¼ SECTION 5, T 103 N, R 60 W OF THE 5TH P.M., DAVISON COUNTY, SOUTH DAKOTA
Roll call vote: Aye- Bode, Haines, Greenway, Weitala, Stadlman, Kiner
Absent- Storm
Nay- None Plat approved.
8. Zoning Administrator Sudrla gave a report on SDPA Conference and the availability of a copy of the power point presentations.
9. The December 7, 2010 meeting will be at 1:15 P.M. in the Commissioners room. Zoning Administrator Sudrla handed out terms of the 2010 Planning Commission and asked members to decide if they would serve if appointed by Commissioners.
10. Misc. Copy of notice on bale removal request provided to Board members.
11. Adjournment at 8:35 P.M. by Chairperson Bode.

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Planning Commission Minutes December 7, 2010

1. Called to order at 1:15 P.M. by Chairperson Bode.
2. Roll Call: Present- Bode, Haines, Kiner, Stadlman, Storm, Greenway and
Zoning Administrator Sudrla
Absent- Weitala
Guest- Clyde Connell, Sheryl & Greg Plamp, Chris Plamp, Brandi
& Kyle Neugebauer and Charles Heisinger
3. Motion by Greenway, seconded by Stadlman to approve the agenda. All voting
aye. Agenda approved.
4. Motion by Haines, seconded by Storm to approve the minutes from the November
5, 2010 meeting. All voting aye. Minutes approved.
5. That Clyde Connell made application November 1, 2010 for a variance of 27'(ft) to
the east ROW to construct an attached garage and enclosure for a ramp. This
request is pursuant to Section 515 of the Davison County Zoning Ordinance as
adopted on 4/1/98 and as subsequently amended. The property was posted on
November 23, 2010. The applicant was notified by mail on November 24, 2010 and
the Notice was in the Daily Republic on November 26, 2010. A 48'(ft) setback is
provided instead of the required 75'(ft). The property is legally described as the
Lot A of SE $\frac{1}{4}$ of Section 5, T 104 N, R 61 W, Badger Township, Davison County,
South Dakota. After consideration of 1403 B. Variance a motion by Stadlman,
seconded by Greenway to recommend granting as applied for.
Roll call vote. Aye- Bode, Haines, Kiner, Stadlman, Storm, Greenway
Nay- none Absent- Weitala,
The variance of 27'(ft) to the East ROW is recommended to be granted.
6. That Charles Heisinger made application on November 16, 2010 for a variance of
21'(ft) to the west ROW line to construct a detached garage. This request is
pursuant to Section 613 of the Davison County Zoning Ordinance as adopted on
4/1/98 and as subsequently amended. The required front yard setback of 75'(ft)
will not be met. The property was posted on November 23, 2010. The applicant
was notified by mail on November 24, 2010 and the Notice was in the Daily
Republic on November 26, 2010 The property is legally described as Lot 5 of
Colwells Corner in SW $\frac{1}{4}$ of Section 14, T 102 N, R 60 W, Prosper Township,
Davison County, South Dakota. After consideration of 1403 B. Variance a motion
by Stadlman, seconded by Storm to recommend granting as applied for.
Roll call vote. Aye- Bode, Haines, Kiner, Stadlman, Storm, Greenway
Nay- none Absent- Weitala
The variance of 21'(ft) to the west ROW is recommended to be granted.
7. That Kyle Neugebauer made application on November 17, 2010 a variance of
10'(ft) to the north ROW for a pole shed that was constructed. This request is

pursuant to Section 515 of the Davison County Zoning Ordinance as adopted on 4/1/98 and as subsequently amended. The required 75'(ft) setback was not met. The property was posted on November 23, 2010. The applicant was notified by mail on November 24, 2010 and the Notice was in the Daily Republic on November 26, 2010. The property is legally described as Lot A of N.F. Neugebauers 1st Addn in the NW¼ of Section 6, T 101 N, R 60 W, Rome Township, Davison County, South Dakota. After consideration of 1403 B. Variance a motion by Greenway, seconded by Stadlman to recommend granting as applied for. Roll call vote. Aye- Bode, Haines, Kiner, Stadlman, Storm, Greenway
Nay- none Absent- Weitala
The variance of 10'(ft) to the North ROW is recommended to be granted.

8. That Plamp Farms Limited Partnership and Chris Plamp made application on November 17, 2010 for a variance in lot size to create a residential lot to construct a residence. This request is pursuant to Section 513.4 of the Davison County Zoning Ordinance as adopted on 4/1/98 and as subsequently amended. The required 25 acres will not be met. The property was posted on November 23, 2010. The applicant was notified by mail on November 24, 2010 and the Notice was in the Daily Republic on November 26, 2010. The property is legally described as NW¼ of Section 14, T 104 N, R 61 W, Badger Township, Davison County, South Dakota. . After consideration of 1403 B. Variance a motion by Greenway, seconded by Haines to recommend granting as applied for with the condition of an Ag-Covenant.

Roll call vote. Aye- Bode, Haines, Weitala, Kiner, Stadlman, Storm, Greenway
Nay- none

The variance of 15 acres to create 10 acre lot to construct a residence recommended to be granted with the condition of an Ag-Covenant.

9. Motion by Haines, seconded by Storm to approve A PLAT OF FIREFLY LANDING ADDITION IN THE WEST HALF OF SECTION 19, T 103 N, R 60 W, 5TH PM, DAVISON COUNTY, SOUTH DAKOTA (Vacates Tract 1 and 2 of Glanzer First addition)

Roll call vote. Aye- Bode, Haines, Weitala, Kiner, Stadlman, Storm, Greenway
Nay- none

Plat approved OF FIREFLY LANDING ADDITION IN THE WEST HALF OF SECTION 19, T 103 N, R 60 W, 5TH PM, DAVISON COUNTY, SOUTH DAKOTA (Vacates Tract 1 and 2 of Glanzer First addition)

10. Misc- Discussion on what is done when construction is started prior to obtaining a building permit. Zoning Administrator Sudrla reported currently the cost are doubled instead of going through the legal system.

11. Adjournment at 2:25 P.M. by Chairperson Bode

Dan Sudrla CAA
Zoning Administrator